



STATEMENT

OF

LUIS G. FORTUÑO
GOVERNOR OF PUERTO RICO

BEFORE THE COMMITTEE ON NATURAL RESOURCES
UNITED STATES HOUSE OF REPRESENTATIVES

HEARING ON H.R. 2499, THE "PUERTO RICO DEMOCRACY ACT OF 2009
JUNE 24, 2009

Thank you, Mr. Chairman and Ranking Member Hastings for the opportunity to appear before this Committee to express my support of H.R. 2499, the Puerto Rico Democracy Act of 2009.

Mr. Chairman, I appear before you as Governor of Puerto Rico. As you know, I am also the president of the New Progressive Party, which advocates statehood as the final solution for the island's more-than-a-century-old status issue. But today, as Governor, I appear before this Committee in representation of all the residents of the island. I have asked former Governor and former Resident Commissioner—and long-time member of this Committee -- Carlos Romero-Barceló to present the official position of the New Progressive Party and he will do so later on this morning.

Mr. Chairman and Ranking Member Hastings, I want to commend both of you for your leadership in bringing fore the discussion of this fundamental issue of American democracy. I also want to commend Resident Commissioner Pierluisi for his leadership in introducing this bill, thus bringing his four million-strong constituency of disenfranchised American citizens one step closer to true self-determination.

As you know, the right of the U.S. citizens of Puerto Rico to decide their political future was one of my priorities when I served in Congress and on this Committee from 2005 until last year—when I was elected Governor—and continues to be a top priority of my administration. For that reason, I was especially grateful to President Obama for the commitment he expressed not just to me, but to the people of Puerto Rico, on the occasion of my inauguration as Governor, to work together to ensure that the issue of Puerto Rico's ultimate political status is finally resolved during the first four years of his Administration.

With your permission, Mr. Chairman, I would like to submit President Obama's letter for the record along with my entire written testimony.

Mr. Chairman, the reasons to support this bill are so self-evident they should not have to be argued. Two hundred and thirty three years after the Declaration of Independence and two hundred and twenty after the ratification of the U.S. Constitution, our Nation continues to sanction an arrangement of governance over four million of its citizens that is abhorrent to the sacred principles enshrined in that Declaration because of the anachronistic survival of the Territory Clause of that Constitution. That quandary of American democracy must come to an end. It is the right thing to do. And the time to do it is now.

Whatever may have been the role of the territorial system in the birth and growth of our Nation, the fact is that our Founding Fathers never intended it as a permanent way of governance by the federal government over the citizens of the Republic. More importantly, it clearly offends the values of American democracy in the 21st century, especially as Congress has allowed such an inherently undemocratic system to remain in place without expressly providing the governed the opportunity to voice their opinion.

Puerto Rico has been a U.S. territory for 111 years and its residents have been U.S. citizens since 1917. Yet Congress has never formally consulted us about our preferences regarding the Island's political status. Not once. With this bill it would. It should. It is the right thing to do.

Oh, surely Puerto Ricans have expressed their views on the Island's political status question before. In fact, some Members may think that's all we do when we come here. Indeed, for far too long all Congress has had to do is to listen courteously from time to time. But it has never asked directly the four million U.S. citizens in Puerto Rico what they think...and asking makes all the difference in the world. It invests you in the process in a way that just listening does not.

Puerto Ricans have made myriad contributions to the Nation, both in peace and in wartime—as thousands of our sons and daughters have laid down their lives in defense of American democratic values for over nine decades. Yet, we have never been given the chance to express our views about our political relationship with the United States in the context of a fair, neutral and democratic process sponsored by the Congress. This bill will, at long last, give us that chance. What could be more right?

The bill provides for a just and impartial process of self-determination for Puerto Rico. The legislation does not exclude or favor any status option. It allows the people of Puerto Rico to maintain the island's present territorial status, if they so choose. If they do, the bill provides for periodic plebiscites to ask the question again, thus underscoring the sense of the Congress that our territorial status is, by nature, non-permanent. But if instead the people of Puerto Rico opt for change, then they must choose among the three constitutionally valid, permanent, non-territorial options of statehood, independence or sovereignty in association with the United States. No smoke and mirrors allowed.

In short, the bill enables the people of Puerto Rico to express their wishes regarding the Island's political status directly, in the ballot box, through a series of democratic votes that will ensure that the views of all the people are heard on this fundamental question.

Mr. Chairman, over the years the Congressional Record has been filled with testimony that explains why it is both crucial and urgent for the people of Puerto Rico to finally resolve the political status issue.

The reality is that the island's current status does not enable the people of Puerto Rico to fulfill their potential for social, economic and political development.

Despite the influx of some \$20 billion in overall federal assistance every year, Puerto Rico's chronic economic under-performance, in comparison to every national standard, continues to be a source of bitter disappointment. This economic reality translates into human discouragement over unrealized dreams that continue to force thousands of my constituents every month to move to the mainland in search of better opportunities and equality.

Thus, we have forged an overall and growing consensus in Puerto Rico that our current relationship with the U.S.—territorial, unequal in the rights and duties of citizenship, not fully democratic, not fully self-governing and not fully consensual—no longer serves either Puerto Rico or the U.S. well.

H.R. 2499 is about the right of the inhabitants of Puerto Rico to self-determination as a means to achieve a full measure of self-government. But the issues before this Committee are not whether Puerto Rico is an “unincorporated territory;” what is the meaning of the phrase “in the nature of a compact” included in Public Law 600; or whether the so-called “enhanced Commonwealth” would be subject to the Territory Clause of the Constitution.

Puerto Rico's political status problem is neither complex nor difficult to solve. It only takes principled leadership.

The fundamental issue that the Puerto Rico Democracy Act of 2009 brings before Congress is the significance of American citizenship and it puts before you one simple question: did the framers of our Constitution intend American citizenship to be a source of equal rights?

The action required from Congress will plainly derive from the answer...and one would hope not to find a single member of Congress that says the answer is “no”, or that “it depends.”

The answer was clearly and unequivocally “yes” when the Civil War was fought to end slavery... “yes” when women were recognized the right to vote... and “yes” when the Supreme Court decided that separate was not equal.

Clearly, the framers of the Constitution did not intend some American citizens to be deprived of rights that other American citizens enjoy. And yet Puerto Rico is a community of American citizens who are deprived of the most basic rights of citizenship in a representative democracy: the right to vote and the right to be represented in the political body that enacts the laws by which they must abide.

Thus, the consequence of not taking action would be to renounce the principles of the Declaration of Independence and to devalue the rights recognized in the Constitution into a rhetorical expression. Is this Nation not dedicated to the proposition that all men are created equal? And are not all citizens guaranteed the equal protection of the laws?

But, Mr. Chairman, the urgency over this matter is not only Puerto Rico’s, but the Nation’s. As the enemies of our country seek to question our moral leadership around the World, America must ensure that it continues to lead by example. And it must do so boldly...as President Reagan did in Berlin when he challenged President Gorbachev to dismantle the Iron Curtain. Or as President Obama has done recently reminding us repeatedly that America must live true to its values and that support for democracy begins at home.

The importance of the U.S. leading by example by holding itself to the same standards it demands of others is no less applicable in the case of Puerto Rico; if anything, more so precisely because Puerto Ricans are American citizens. Yet the American citizens of Puerto Rico are separated from their counterparts in the States by a wall of political inequality built upon the foundation of our current territorial status. Mr. Chairman, it’s time to tear down that wall.

I urge the Committee to favorably consider H.R. 2499. It is the right thing to do...and the very least that the four million U.S. citizens of Puerto Rico deserve.

Thank you very much.